



Policy: Community Planning and Facility Partnerships

	Policy Number:	400.02	
Adopted:	November 23, 2010	Former Policy Number:	n/a
Revised:	October 27, 2015	Policy Category:	Operations
Subsequent Review Dates:	N/A	Pages:	3

Belief Statement:

The Brant Haldimand Norfolk Catholic District School Board (BHNCD SB) believes it is in the best interest of the Board and the community to encourage sharing of its facilities, which are not required for education purposes. BHNCD SB believes that cooperative and collaborative relationships between the Board and community partners are part of the foundation for a strong, vibrant and sustainable publicly-funded education system. Through the sharing of facilities, the Board can reduce costs and provide efficient space to support community partners and improve services to the wider community.

BHNCD SB is committed to focusing on opportunities to share facilities with community partners when building new schools or undertaking significant additions and/or renovations, when considering the use of underutilized space in schools, and when considering properties associated with schools that may close and sites that may be considered for future disposition.

Policy Statement:

The BHNCD SB will consider partnerships for the use of facilities if:

1. The partner demonstrates respect for Catholic faith.
2. The use of the facility is appropriate for a school setting and will be mutually beneficial to students, the district, the community in which the school is located as well as the partner engaged in the partnership.
3. The use does not compromise the safety of students and staff.
4. The use does not compromise the Board's student achievement strategy.
5. The organization does not conflict with the BHNCD SB's mission, vision and values.
6. The use maximizes the use of excess school space.
7. The use will strengthen relationships between the Board, community partners and the public.
8. All costs associated with the partner's use are recovered through fees or rental, unless otherwise decided upon by the Board.
9. The use provides a foundation for improved service delivery for communities.
10. The use pursues creative initiatives to generate operating dollars or reduce operating costs.



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Entities that provide competing education services such as tutoring, full-day Kindergarten to Grade 12 private schools or private colleges and credit-offering entities that are not government funded are not eligible for facility partnerships.

Partnerships will not prevent the Board from building, renovating or closing schools or from disposing of surplus assets, when required. The Board will also consider the impact on the Community Use of Schools program.

Selection of Space in Schools

Through the Long-Term Capital Plan (LTCP), the BHNCDSB will be able to forecast which facilities may be suitable for facility partnerships.

In order for schools to be able to accommodate a partnership, they must meet the following criteria:

- the space is not required for Board programming
- student safety
- accessibility needs of the partner
- zoning and site use restrictions
- facility condition
- availability of required amenities and/or support space, and
- any other criteria as determined by the Board.

Community Planning and Facility Partnership Notification Process

Potential space available for partnership consideration will be identified from analysis within the Board's LTCP. Available space will be identified on the BHNCDSB website and circulated to entities including, but not limited to, those listed in Ontario Regulation 444/98 and BHNCDSB's community partners. Information will include timelines for facility partnership agreements.

BHNCDSB will hold a public meeting annually to discuss potential planning and partnership opportunities with the public and community organizations.

In addition to the annual public meeting, BHNCDSB will continue discussions with municipalities within the geographic area of the Board and other community partners to explore options to address underutilized space issues in schools. These discussions will inform proposals that staff may present to the Board of Trustees, including recommendations to undertake a pupil accommodation review process.

As part of the planning process, when considering building a new school or undertaking a significant addition or renovation, BHNCDSB will notify the entities including, but not limited to, those listed in Ontario Regulation 444/98, one-to-three years prior to the potential construction start date in order to provide these organizations with the opportunity to co-build with BHNCDSB.

Screening of Partners

Due diligence is key to the screening of potential partners. Before entering into a facility partnership, the Board must assess the expectations of the partnering organization(s) and determine that the partnering organization(s) meet the community standard for a suitable association with the school and/or Board. Screening will include, but may not be limited to:

- the reason for the organization's interest in partnering with the school and/or the Board
- the organization's ownership and history
- the nature of product or service of the partnering organization
- the key contact within the partnering organization
- the authority of the key contact to bind that organization
- the financial status of the organization



Brant Haldimand Norfolk Catholic District School Board

Glossary of Key Policy Terms:

Community Partners

Community non-profit or profit entities who express interest in participating in Facility Partnership Agreements that are deemed eligible by the Board.

Facility Partnership Agreement

A legal, contractual agreement outlining expectations between a school, the Board and a community entity. The legal document outlines the terms and conditions of the facility partnership and complies with all existing Brant Haldimand Norfolk Catholic District School Board policies and procedures. The Agreement is signed by all parties prior to implementation.

Facilities

Buildings and properties owned by Brant Haldimand Norfolk Catholic District School Board.

For-Profit Organizations

Commercial entities, which by the nature of their business, generate a profit for an individual, groups of individuals or a corporation.

Entities

Businesses, associations, private and public sector organizations and institutions who express interest in becoming eligible partners.

Long-Term Capital Plan

A comprehensive planning document illustrating the condition and utilization of current facilities and possible accommodation solutions designed to enhance student achievement.

Non-Profit Organizations

Organizations that do not generate profit, or by the nature of their business function, generate profit on a cost-recovery basis.

Partnerships

Partnerships are mutually-beneficial relationships and supportive arrangements between the Board and business, labour, community and government agencies. Partnerships are cooperative relationships in which partners share values, objectives and facility resources.

References

Ministry of Education Memorandum 2010:B1: Encouraging Facility Partnerships
Ministry of Education Community Planning and Partnerships Guideline
Ministry of Education Pupil Accommodation Review Guideline
Ontario Regulation 444/98 (Education Act): Disposition of Surplus Real Property
BHNCD SB Inclement Weather & Temporary School/Facility Closures Policy 400.01
BHNCD SB Community Use of Schools Policy 400.05
BHNCD SB Pupil Accommodation Review Policy 400.16
Accessibility for Ontarians with Disabilities Act (2005)
Declining Enrolment Working Group Report (2009)
Early Learning Memo 12: Regulatory Amendments for Full-Day Junior Kindergarten and Kindergarten and Extended Day Programs
Education Act: Section 183, Section 194, Section 196: Subsection 171



Community Planning and Facility Partnerships AP400.02

Procedure for:	Superintendent Responsible for Facilities	Adopted:	November 23, 2010
Submitted by:	Superintendent of Business & Treasurer	Revised:	October 27, 2015
Category:	Operations		

Purpose

The Ministry of Education encourages school boards to enter into community partnerships. The administrative procedures for Community Planning and Facility Partnerships are based on the guidelines established by the Ministry of Education.

Responsibilities

Director of Education

- Submit the Lease to proceed with a facility partnership to the Board of Trustees.

Executive Assistant – Corporate Services

- Place organizations who are interested in partnering with the Board on the Notification List.

School Principal

- Advise the School Council that the Board of Trustees has approved the school for potential partnership opportunities.

Superintendent of Business & Treasurer (or designate)

- Review potential facility partnership opportunities on an annual basis.
- Identify where new schools or additions may be needed, which schools will remain well-utilized, which open and operating schools may have unused space, and which schools may be candidates for consolidation or closure.
- Review projected enrolment the Long-Term Capital Plan and determine space in each school that is not anticipated to be required for educational purposes for the subsequent five-year period.
- Identify facilities that can accommodate partnerships.
- Create report for the Board of Trustees to approve the facilities for potential partnerships.
- Share the identification of potential spaces with community partners.
- Post information regarding any intention to build new schools, undertake significant renovations and information regarding unused space in open and operating schools and administrative buildings on the Board's website.
- Annually update information about available space on the Board's website.
- Organize and invite community entities to an Annual Public Meeting to discuss potential planning and facility partnership opportunities.
- Post information regarding the Annual Public Meeting on the Board's website.
- Formally document the invitation list, organizations in attendance and all correspondence exchanged at the Annual Public Meeting.
- Post information on the Board's website and notify entities on the Notification List when the Board is considering building a new school or undertaking a significant addition or renovation.
- Notify entities on the Notification List, one-to-three years in advance, if the Board is considering building a new school or undertaking a renovation to a facility.
- Issue a Request for Interest to potential partners,
- Evaluate all Request for Interest to select a partner.
- Ensure that timelines are clear to potential partners and that timelines are maintained.
- Consider declaring if space is suitable for facility partnerships and may be available for the long-term.
- Provide information regarding the available space.
- Evaluate Expressions of Interest to select partners.
- Provide partners with clear instructions regarding their rights and responsibilities as tenants.



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- Prepare a draft lease, which will be reviewed by the Board's solicitor and partner.
 - Evaluate each capital construction opportunity on a case-by-case basis.
 - Invite entities to an Information Session to discuss the capital construction opportunity and their potential involvement.
 - If required, request approval of the capital construction opportunity from the Ministry of Education.
 - Inform the applicant of the decision to proceed / not to proceed with the facility partnership.

Information

Facility partnerships between the Brant Haldimand Norfolk Catholic District School Board (BHNCDSB) and community partners can maximize the use of public infrastructure, reduce facility operating costs for the Board, provide a foundation for improved service delivery for communities within the District, strengthen the relationship between BHNCDSB, community partners and the public, and ultimately improve services, programs and supports available to students.

BHNCDSB will have ongoing dialogue with municipalities within the geographic area of the Board and other community organizations to explore options to address underutilized space issues in schools within specific areas of the Board. These discussions will inform proposals that staff may present to the Board of Trustees, including recommendations to undertake a pupil accommodation review process.

Existing schools, which are experiencing declining enrolment, may have surplus space that could be used by community agencies for the benefit of the agency and the Board. The Board should also consider entering into arrangements with community agencies to share space in newly-constructed schools.

Procedures

1.0 Identification of Potential Spaces

- 1.1 The Superintendent of Business & Treasurer will identify where new schools or additions may be needed, which schools will remain well-utilized, which open and operating schools may have unused space, and which schools may be candidates for consolidation or closure. The Superintendent of Business & Treasurer (or delegate) will review projected enrolment and determine space in each school that is not anticipated to be required for educational purposes for the subsequent five-year period.
- 1.2 This information will be used to identify facilities that may be suitable for facility partnerships with respect to new construction and unused space in schools. This information also provides an opportunity to consider potential surplus properties in which community partners may be interested.
- 1.3 The Superintendent of Business & Treasurer (or delegate) will identify facilities that can accommodate partnerships based on the following criteria:
 - Space not required for Board programming.
 - Sixty percent (60%) or less utilization.
 - Long- and short-term enrolment projections.
 - Student safety.
 - Accessibility.
 - Zoning and site use restrictions.
 - Facility condition.
 - Ability to separate the space used by partners from the space used by students.
 - Dedicated washrooms available for the space or can washrooms be provided.
 - Adequate parking.
 - Availability of required amenities and/or support space.
 - Any other criteria as determined by the Board.



- 1.4 Schools that have space considered suitable for a partnership opportunity will be identified and a report will be made to the Board of Trustees to approve the facilities for potential partnerships.
- 1.5 The school principal will advise the School Council that the Board has approved the school for potential partnership opportunities.

2.0 Communication to the Community

- 2.1 The Superintendent of Business & Treasurer (or delegate) will share the results of the Identification of Potential Spaces with community partners, including but not limited to, those listed in Ontario Regulation 444/98.
- 2.2 The Superintendent of Business & Treasurer (or delegate) will have posted on the BHNCDNB's website information regarding:
 - any intention to build new schools;
 - any intention to undertake significant renovations;
 - information regarding unused space in open and operating schools and administrative buildings.
- 2.3 Information about available space in schools for facility partnerships will be updated on the website annually after a staff review of the Long-Term Capital Plan (LTCP) and updated actual and projected enrolment numbers.
- 2.4 Information about co-building opportunities will be updated on the website, as needed.
- 2.5 The Superintendent of Business & Treasurer will be listed on the website as the contact for information and questions regarding facility partnerships.

3.0 Annual Planning and Facility Partnership Meeting

- 3.1 The Superintendent of Business & Treasurer will organize an annual public meeting to discuss potential planning and facility partnership opportunities.
- 3.2 Invitations will be sent directly to community entities including, but not limited to, those listed in Ontario Regulation 444/98.
- 3.3 When inviting entities on the notification list to the Annual Public Meeting, the invitation must clearly request that organizations be prepared to bring relevant planning information including, but not limited to:
 - population projections;
 - growth plans;
 - community needs; and
 - land-use and green space/park requirements.
- 3.4 The meeting will be posted on BHNCDNB's website for the public.
- 3.5 The invitation list, the organizations in attendance at the Annual Public Meeting and all correspondence exchanged at the meeting will be formally documented.



4.0 Notification to Community Partners

- 4.1 The Superintendent of Business & Treasurer (or delegate) will post information on the Board website and notify entities on the Notification List when the BHCNDSB is considering building a new school or undertaking a significant addition or renovation. Organizations interested in placement on the Notification List or organizations who are interested in partnering with the Board to use existing space within a school are encouraged to contact the Board's Executive Assistant – Corporate Services.
- 4.2 Entities on the Notification List will be notified of the consideration to build a new school or undertake a renovation one-to-three years prior to the potential construction start date.
- 4.3 The Superintendent of Business & Treasurer (or delegate) will evaluate all expressions of interest to select a partner(s) based on the Policy.
- 4.4 The Superintendent of Business & Treasurer (or delegate) will ensure that all timelines are clear to potential partners and will ensure that timelines are maintained.
- 4.5 Partnership Agreements cannot be finalized until both the BHCNDSB and the partner(s) have an approved source of funding.

5.0 Sharing Space with Community Partners

- 5.1 If identified space is both suitable for facility partnerships and is available for the long-term, the Superintendent of Business & Treasurer (or delegate) will consider declaring the space surplus and circulating the space for lease through O. Reg. 444/98. In addition, the following community partners will be notified:
 - a. Dioceses of Hamilton, London and St. Catharines;
 - b. United Way;
 - c. existing child care operators; and
 - d. other entities, as requested.
- 5.2 If the space is suitable for facility partnerships, but is not surplus to the Board's needs, the Superintendent of Business & Treasurer (or delegate) will follow the notification process as outlined in Section 4.0 of this directive.
- 5.3 The Superintendent of Business & Treasurer (or delegate) will provide information regarding the available space including, but not limited to, size, location, facility amenities and required renovations, if needed.
- 5.4 The Superintendent of Business & Treasurer (or delegate) will evaluate Expressions of Interest to select partners.

6.0 Facility Partnership Agreements and Cost-Recovery

- 6.1 Partners will be provided with clear instructions regarding their rights and responsibilities as tenants, including maintenance standards and the applicability, or the lack thereof, of Board user policies, including accessibility and inclusiveness policies.
- 6.2 On a cost-recovery basis, the fees charged to partners should cover the operations and capital costs, including administrative costs and property taxes (if applicable), to the space occupied by the partner unless otherwise decided upon by the Board.
- 6.3 In co-building, partners will be required to pay for and finance their share of construction, including a proportional share of joint-use or shared space.



- 6.4 If a partner expresses interest in a space at an existing school, a draft lease will be prepared, including all fees and lease costs.
- 6.5 The lease will include lessee covenants providing for:
- term of the lease, which must be, at a minimum, two years but no more than five years;
 - Board named as an insured on lessee's insurance;
 - use of the leased premises;
 - hours of operation;
 - compliance with legislation;
 - improvements or alterations to the building;
 - property taxes, if applicable;
 - maintenance;
 - circumstances in which the lease may be terminated by either party;
 - recovery of all costs related to the space, including utilities, snow ploughing, etc.;
 - recovery of caretaking costs, if applicable;
 - administrative costs in the amount of 5% of the above;
 - major repairs and maintenance costs in the amount of 10% of the above, excluding administrative costs; and
 - other clauses, as deemed applicable.
- 6.6 The draft lease agreement will be reviewed by the Board's solicitor and the partner.

7.0 New Facilities and Significant Renovations

- 7.1 When the Board is considering building a new school, an addition to a school or a significant renovation to a school, it will issue a Request for Interest (RFI) to potential partners through the Board's website and local media.
- 7.2 Site size, topography, and other restrictions may limit partnership opportunities. The Board will evaluate each capital construction opportunity on a case-by-case basis to determine whether a partnership may be appropriate and advantageous to the Board.
- 7.3 Parties expressing interest will be invited to an Information Session to discuss the project and their potential involvement.
- 7.4 Consideration must be given to the health and safety of students and staff, as well as the suitability of the partner and the proposed use.
- 7.5 The lease will include lessee covenants providing for:
- term of the lease, which must be, at a minimum, five years, but no more than ten years;
 - Board as a named insured on lessee's insurance;
 - use of the leased premises;
 - hours of operation;
 - compliance with legislation;
 - improvements or alterations to the building;
 - property taxes, if applicable;
 - maintenance;
 - circumstances in which the lease may be terminated by either party;
 - recovery of all costs related to the space, including utilities, snow ploughing, etc.;
 - recovery of caretaking costs, if applicable;
 - administrative costs in the amount of 5% of the above;
 - major repairs and maintenance costs in the amount of 10% of above, excluding administrative costs; and
 - other clauses as deemed applicable.



- 7.6 Ministry of Education approval may be required under the Education Act, authorizing the transaction.
- 7.7 Capital costs of construction or renovation must be recovered over a reasonable period of time, but not to exceed 25 years.
- 7.8 For new construction or renovation projects, the lease term shall be for a period of no less than five years and no more than ten years. Renewals for periods of up to five years by mutual agreement are permitted.
- 7.9 The draft lease agreement will be reviewed by the Board's solicitor and the partner.
- 7.10 When the Director of Education and the partner are satisfied with the terms of the lease, the lease will be submitted to the Board of Trustees for approval.

8.0 Decision to Proceed/Not or Proceed with the Facility Partnership

- 8.1 If there is a decision not to proceed with the facility partnership, the Superintendent of Business & Treasurer (or delegate) will inform the applicant.
- 8.2 If there is a decision to proceed with the facility partnership, the Superintendent of Business & Treasurer (or delegate) will prepare the required documentation (i.e., construction agreement, lease agreement, etc.).

9.0 Terminating Partnership Agreements

Partnership Agreements can be terminated by any of the partnering organizations with appropriate notice of termination. Specifics related to the termination of partnerships must be detailed in the Partnership Agreement. Termination will be entertained only after the conflict resolution process has been exhausted.

The process and time frame for termination of a partnership will be included in the Partnership Agreement.

Definitions

Community Partners

Community non-profit or profit entities who express interest in participating in Facility Partnership Agreements that are deemed eligible by the Board.

Entities

Entities are businesses, associations, private and public sector organizations and institutions who express interest in becoming eligible partners.

Facilities

Buildings and properties owned by Brant Haldimand Norfolk Catholic District School Board.

Facility Partnership Agreement

A legal, contractual agreement outlining expectations between a school, the Board and a community entity. The Agreement will outline the terms and conditions of the facility partnership and comply with all existing Brant Haldimand Norfolk Catholic District School Board policies and procedures. The Agreement will be signed by both/all parties prior to implementation.

For-Profit Organizations

Are commercial entities, which by the nature of their business, generate a profit for an individual, groups of individuals or a corporation.



Long-Term Capital Plan

A comprehensive planning document illustrating the condition and utilization of current facilities, and possible accommodation solutions designed to enhance student achievement.

Non-Profit Organizations

Are organizations, which do not generate profit, or by the nature of their business function, generate profit on a cost-recovery basis.

Notification List

A list of eligible, potential and existing partners, established according to Ontario Regulation 444/98, but not limited to those identified by the regulation.

Partnerships

Partnerships are mutually-beneficial relationships and supportive arrangements between the Board and business, labour, community and government agencies. Partnerships are cooperative relationships in which partners share values, objectives and facility resources.

References

Ministry of Education Memorandum 2010:B1: Encouraging Facility Partnerships
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